

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 5520 of 2018

- Pankaj Kumar Chouhan S/o Chaitram Chouhan Aged About 25 Years R/o- Village- Balgi, Thana Bankimongra, Tahsil Katghora, District- Korba, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Katghora, District- Korba, Chhattisgarh.

---- Respondent

For Applicant	: Shri Vikash Pandey, Advocate.
For Respondent/State	: Shri Bhaskar Pyashi, PL.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

27/08/2018

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime no. 156/2018, registered at Police Station Katghora, District Korba (C.G.) for the offence punishable under Sections 376, 392 & 506-B of the IPC.
2. As per the prosecution story, on 15-05-2018 a written complaint was filed by the prosecutrix a major girl aged about 20 years, wherein it is alleged that on the night of 13-05-2018, accused/applicant committed forcefully sexual intercourse with the prosecutrix. On the basis of above offence has been registered and the applicant was arrested on 19.06.2018.
3. Shri Vikash Pandey, learned counsel appearing on behalf of the Applicant submits that applicant is innocent and he has been falsely implicated in the present case. He further submits that there was a love relationship between the prosecutrix and the present applicant

prior to her marriage. He submits that applicant is in custody since 19-06-2018, charge-sheet has already been filed and trial will likely to take some time, therefore, applicant may be released on bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case and evidence collected by the prosecution, further considering the statement of the prosecutrix recorded under Section 164 of the Cr.P.C., the applicant is in custody since 19-06-2018, charge-sheet has already been filed and trial will likely to take some time, without further commenting on merit of the case, I am inclined to release the applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety in the like sum to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)

Judge